

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SALVATORE LARIZZA,

Plaintiff,

v.

SIX UNKNOWN AGENTS, *et al.*,

Defendants.

Case No. C13-0990-JLR-MAT

REPORT AND RECOMMENDATION

On June 10, 2013, plaintiff Salvatore Larizza submitted to this Court for filing a proposed civil rights complaint. (*See* Dkt. No. 1.) However, plaintiff failed to submit with his complaint either the filing fee or an application for leave to proceed with this action *in forma pauperis*. Accordingly, the Clerk sent plaintiff a letter advising him that he would have to submit either the entire filing fee, or an application for *in forma pauperis* status, on or before July 10, 2013, and that his failure to do so could result in dismissal of this case. (Dkt. No. 3.) On June 24, 2013, the Clerk's letter, which was mailed to plaintiff at his address of record, the Immigration and Customs Enforcement (ICE) Processing Center in El Paso, Texas, was

01 returned by the post office with a notation indicating that plaintiff was no longer at that facility.  
02 (Dkt. No. 4.) To date, plaintiff has not provided the Court with a new address.

03 Because over sixty days have passed since mail directed to plaintiff at his address of  
04 record was returned by the post office, and because plaintiff has not notified the court of his  
05 current address, this action should be dismissed, without prejudice, for failure to prosecute  
06 pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and  
07 Recommendation.

08 DATED this 4th day of September, 2013.

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11 Mary Alice Theiler  
12 Chief United States Magistrate Judge  
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